



BOARD OF PUBLIC WORKS & SAFETY FEBRUARY 5, 2004 MINUTES

Mayor Charles Henderson called the meeting to order at 8:33 a.m.

PRESENT:	Board members Mayor Henderson and Kevin Hoover; Deputy Clerk-Treasurer Kathie Fritz; City Attorney Shawna Koons-Davis; Director of Engineering Paul Peoni. Board member Warren Beville was unable to attend.
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Mr. Hoover moved to approve the minutes of January 22nd as prepared. Second by Mayor Henderson. Vote: Ayes.

Joe Meyer of KOE Engineering came forward on behalf of Long John Silver's @ Summerfield Crossing to request acceptance of public improvements, acknowledgment of private improvements, acceptance of maintenance bond and release of performance bond. Mr. Peoni confirmed that all items appear to have been satisfactorily installed and his department has received final acceptable as-builts. The original maintenance bond has been submitted. Mr. Hoover, per Mr. Peoni's memo, moved to:

- 1) Acknowledge that the private improvements of dirtwork, storm sewers and erosion control at the Long John Silver's site @ Summerfield Crossing have been installed in reasonable compliance with the design plans.
- 2) Accept the sidewalks in the public right-of-way at the Long John Silver's site @ Summerfield Crossing.
- 3) Accept the street improvements in the public right-of-way at the Long John Silver's site @ Summerfield Crossing.
- 4) Accept three (3) year maintenance bond #400TC6650 in the amount of \$1,590 for the sidewalks and street improvements in the public right-of-way at the Long John Silver's site @ Summerfield Crossing.
- 5) Release performance bond #400SL8386 in the amount of \$23,000 for the installation of the private dirtwork, storm sewers, erosion control and sidewalk and street improvements in the public right-of-way.

Second by the Mayor. Vote: Ayes.

Tim Sweeney of Quadrangle Development Company, for Precedent South Business Center, Section 1, Block 6, Lot 6B sought release of two Letters-of-Credit. Erosion control and dirtwork will stay in place until they can do the final surface course of asphalt. Mr. Peoni agreed that everything is acceptable. They have received as-builts but not the mylars. Mr. Hoover, referring to Mr. Peoni's memo, moved to:

- 1) Acknowledge that the private improvements of storm sewers at Precedent South Business Center, Section 1, Block 6, Lot 6B have been installed in reasonable compliance with the design plans.
- 2) Release performance Letter-of-Credit (LOC) #2000204271 in the amount of \$552,257 for the installation of the private storm sewers at Precedent South Business Center, Section 1, Block 6, Lot 6B.
- 3) Accept the signs & monuments at Precedent South Business Center, Section 1, Block 6, Lot 6B.
- 4) Accept three year maintenance guarantee in the amount of \$136 for the signs & monuments at Precedent South Business Center, Section 1, Block 6, Lot 6B.
- 5) Release performance LOC #2000204274 in the amount of \$680 for the installation of the signs & monuments at Precedent South Business Center, Section 1, Block 6, Lot 6B, all subject to:
 - a) Receipt of ORIGINAL three (3) year maintenance guarantee for the signs & monuments.
 - b) Review and approval of the maintenance guarantee form by the City Attorney and Engineering Department.
 - c) Receipt of final mylar as-builts.

Second by the Mayor. Vote: Ayes.

On behalf of Dr. Fansa, DDS (75 N. State Road 135, Suite C), David Bennett of K L Presnell asked for reduction of the Sewer Availability Fee. He has submitted the plans to Gary Arnold in Engineering, and told the Board that under the current statute the SAF would be \$15,496. Using the proposed rates, Gary has calculated the SAF to be \$4,395.50 to be accompanied by a Letter-of-Credit in the amount of \$11,100.50. Mr. Hoover moved to accept the payments as described for 75 N. State Road 135, Suite C. Second by the Mayor. Vote: Ayes.

Police Chief Albert Hessman was next to discuss vehicle fleet lease approval for 17 additional new vehicles. He indicated that this is a budgeted item. Mr. Hoover moved to authorize the Chief to move forward with the acquisition of the lease of 17 additional new vehicles for the Police Department. Second by the Mayor. Vote: Ayes.

Chief Hessman next described a carry over from last year to purchase DNA equipment, also a budgeted item, that should be approximately \$55,000. The Mayor asked if this could wait a couple of weeks, and the Chief agreed.

Fire Chief Steve Dhondt came forward regarding the contract with Rural Metro Ambulance Service that expires April 1st. Last year the contract was renewed for only one year because of differences in the amount of resources that needed to be dedicated to the City of Greenwood. Chief Dhondt asked for permission to request proposal for services from several central Indiana ambulance services in order to determine whether we should change providers. The proposal form has been approved by the City Attorney. Mr. Hoover moved to grant the request. Second by Mayor Henderson. Chief Dhondt confirmed that it is a fee-based service by the end user. Vote: Ayes.

Chief Dhondt next described the copier that they have budgeted for and have been researching the past few months. Most companies he found prefer lease agreements, and the Chief thought a lease would be preferable for the Fire fund. Counsel has reviewed the lease proposal form and explained that it would be a four-year lease with payments of \$263.78 per month with a \$1 buy-out at the end. Mr. Hoover moved to grant the Chief's request to negotiate a lease with Xerox for a new copier under terms and conditions approved by the City Attorney and the Mayor. Second by the Mayor. Vote: Ayes.

Chief Information Officer Rick Jones came forward to discuss the Microsoft licensing of our computers. He recounted that late in 2002, the Board approved his request to enter into a three-year agreement with Microsoft to properly license all the workstations in the City. This opportunity was made affordable by taking advantage of a State of Indiana QPA agreement that they negotiated. The Board had stipulated that the matter come back before them before any licensing was added to the agreement. In 2002 we made our first of three payments for \$35,390.16 (156 computers @ \$226.86 each). Because of delays in finalizing the initial paperwork, the contract did not actually start until March 2003. The delay meant that we did not have to make a payment in 2003 and the I.T. Department was able to return \$40,000 to the General Fund. Our second payment will be due in March of this year. Mr. Jones reported that we have been able to hold the line on the number of workstations that need to be licensed. The only additions to the original 156 are 5 new stations that were purchased for the Clerk-Treasurer's office. When stations are added, Microsoft requires a "True Up" payment. This amount is adjusted to reflect the year of the agreement in which the computers were added. It is a one-time cost to add computers to the original agreement; there will not be additional charges for the 5 units being added. There was discussion on the distribution of the 2004 payment, with the General Fund bearing \$34,889 (included "True Up payment of \$3,128.60), Sanitation \$1,814.88 and Probation \$1,814.88. The payment total will be \$38,518.76. Mr. Hoover moved to grant permission to proceed with making the second annual licensing payment as described, to include the "true up" payment that will fund the additional licenses needed for the Clerk-Treasurer's office. Second by the Mayor. Vote: Ayes.

Code Enforcement Officer John Myers discussed a nuisance complaint that he first received on October 31, 2003. The violations were at 1301 Stillwater Lane. On 11/05/03 he went to the residence, as he has about every two years, he noted, and left a 10-day notice. He took pictures at that time. Complaints were trash, debris and inoperable vehicles and a motor home. The property is owned by David Watness, who was in the audience. With no response, Mr. Myers sent a certified letter on January 5th to Mr. Watness that directed him to remove the abandoned inoperable vehicles and the motor home, cut the high grass and weeds, and remove trash and debris from the property. On January 21st Mr. Watness came to the City Building to discuss the matter with Code Enforcement. He told Mr. Myers that the motor home has

been there for 10 years. As of today the motor home is still there, along with three vehicles. Mr. Myers added that some trash has been removed but there is still much to be done. Mr. Watness was invited to speak and discussed what he had disposed of. He asked for an extension until mid-April to finish with the motor home. Mayor Henderson was comfortable with that and asked if he could resolve the other issues by the end of this month. The Mayor moved to find that a nuisance exists at 1301 Stillwater Lane, resolve the issues Mr. Myers had discussed by February 29th and have the motor home gone by April 15th. Second by Mr. Hoover. Vote: Ayes.

Ms. Koons-Davis reported that she had heard back from Kim Williams of Omega about the license issue for the Eastside Interceptor Sewer Project, Phase 2A. She will draft a letter in response to her request.

Ms. Koons-Davis and Mr. Peoni met with Clark-Pleasant School representatives and Cinergy/PSI on the relocation of the utility poles for the road improvements that we are requiring of the school corporation. Cinergy is telling the school that they will be responsible for the cost (about \$300,000) to relocate the poles, which the school did not budget for this project. Cinergy does not accept the argument that this project is like a public works project and are asserting that the school is a private developer. Staff has been working with both parties trying to come to a resolution. Cinergy would like to see if those who granted sanitary sewer easements would allow them to relocate the poles within the easement area. If this is possible and they do not have to acquire the easements themselves, they will relocate the poles at their expense all along that roadway, said the City Attorney. They want a commitment from the City for our assistance. Mr. Peoni thought they could stay in the right-of-way much of the time. Where they could not, added the City Attorney, Cinergy wanted to share our easement. We have shown them the plans, said Ms. Koons-Davis, so they can determine where in our easements they would want the poles. They have not given us that information. The City Attorney indicated that the City would not pay more money if the grantor of the easement asks. Our easements are specific for sanitary sewers. It was the consensus of the Board to continue to investigate that possibility.

Mr. Peoni discussed the Tom O'Brien parking lot expansion on U.S. Highway 31. They are asking to have their Inspection & Testing Agreement accepted for all improvements except sanitary sewer. They have submitted their 50% fee. Mr. Hoover moved to accept the Inspection & Testing Agreement for the Tom O'Brien parking lot as described and ratify acceptance of the check. Second by the Mayor. Vote: Ayes.

Mr. Hoover moved to accept the claims as submitted through February 5th. Second by Mayor Henderson. Vote: Ayes.

The Mayor reminded the Board that the Prayer Breakfast is March 6th.

With no further business, the meeting adjourned at 9:05 a.m.